

## UNITED STATES PATENT AND TRADEMARK OFFICE



ddress:	COMMISSIONER FOR PATENTS
	P.O. Box 1450
	Alexandria, Virginia 22313-1450
	www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/029,184	12/28/2001	George Y. Daniloff	2232-162	6428		
6449	6449 7590 10/20/2004			EXAMINER		
	L, FIGG, ERNST & M	GITOMER, RALPH J				
1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER		
			1651			

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment    10/029   34		Application No.	Applicant(s)						
Examiner	Notice of Abandanment	10/029,184	DANILOFF ET	AL.					
This application is abandoned in view of:	Nouce of Apartdonment		Art Unit						
This application is abandoned in view of:		Ralph Gitomer	1651						
1.   Applicant's failure to timely file a proper reply to the Office letter mailed on @1 March 2004.   (a)   A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on   (b)   A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.   (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely file of Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.14b.	The MAILING DATE of this communication app		<del></del>	ldress					
(a) ☐ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) ☐ A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  (A proper reply under 37 CFR 1.113 to a final rejection consists only of; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 betrow).  (d) ☐ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowance (PTOL-85).  (b) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (c) ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.36(a)) u									
(a) ☐ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) ☐ A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  (A proper reply under 37 CFR 1.113 to a final rejection consists only of; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 betrow).  (d) ☐ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowance (PTOL-85).  (b) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (c) ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.36(a)) u	1. Applicant's failure to timely file a proper reply to the Office	e letter mailed on 01 March 2004							
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) at timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the nonfinal rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☑ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated shich is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ C.  (c) ☐ The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by the attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on	(a) ☐ A reply was received on (with a Certificate of N period for reply (including a total extension of time of	(a) ☐ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on							
application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☒ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) ☐ The issue fee and publication fee, if applicable, has not been received.  3 ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of				-					
final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ⊠ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) ☐ The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. ☐ The reason(s) below:  Petitions to review under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for								
2.									
from the mailing date of the Notice of Allowance (PTOL-85).  (a)   The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b)   The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c)   The issue fee and publication fee, if applicable, has not been received.  3   Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a)   Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b)   No corrected drawings have been received.  4.   The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5.   The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6.   The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.   The reason(s) below:	(d) ⊠ No reply has been received.								
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c)	), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of								
(c)  The issue fee and publication fee, if applicable, has not been received.  3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a)  Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b)  No corrected drawings have been received.  4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6.  The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.  The reason(s) below:    **Toutous**   Ralph Gitomer Primary Examiner Art Unit: 1851   Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any regative effects on patent term.   **Search and Tradements Office**	(b) The submitted fee of \$ is insufficient. A balance	e of \$ is due.							
3	The issue fee required by 37 CFR 1.18 is \$	The publication fee, if required by 37	CFR 1.18(d), is \$						
Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Ralph Gitomer Primary Examiner Art Unit: 1651  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office	(c) The issue fee and publication fee, if applicable, has no	ot been received.							
after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Ralph Gitomer Primary Examiner Art Unit: 1651  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office									
<ul> <li>4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.</li> <li>5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.</li> <li>6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.</li> <li>7. ☐ The reason(s) below:</li> <li>Ralph Gitomer Primary Examiner Art Unit: 1651</li> <li>Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.</li> <li>U.S. Patent and Trademark. Office</li> </ul>		_ (with a Certificate of Mailing or Tran	smission dated	), which is					
the applicants.  5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6.  The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.  The reason(s) below:    Ralph Gitomer Primary Examiner Art Unit: 1651   Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office	(b) No corrected drawings have been received.								
1.34(a)) upon the filing of a continuing application.  6.  The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.  The reason(s) below:  Ralph Gitomer Primary Examiner Art Unit: 1651  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office									
of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Ralph Gitomer Primary Examiner Art Unit: 1651  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office		attorney or agent (acting in a represe	entative capacity ur	nder 37 CFR					
Ralph Gitomer Primary Examiner Art Unit: 1651 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office			e the period for see	king court review					
Ralph Gitomer Primary Examiner Art Unit: 1651 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office	7.  The reason(s) below:								
Ralph Gitomer Primary Examiner Art Unit: 1651 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office									
Ralph Gitomer Primary Examiner Art Unit: 1651 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office									
Primary Examiner Art Unit: 1651  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office			Mocton						
minimize any negative effects on patent term. U.S. Patent and Trademark Office			Primary Examine	r .					
U.S. Patent and Trademark Office									
	U.S. Patent and Trademark Office	of Abandonment	Part of Par	per No. 20041004					